

1954

MEMORANDUM FOR: Deputy Director (Administration)

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VIA: General Counsel

SUBJECT: Proposed Revision of Figure 1 of CIA Regulation [REDACTED]

1. The Regulations Control Staff informally referred to this Office the revised Secrecy Agreement which has been approved by the Director but which had not specifically been coordinated with the Security Office. On 17 August 1954 the Security Office forwarded a draft of the Secrecy Agreement to the Office of General Counsel. It is understood that Mr. Houston discussed this draft with the Director in September and the Director suggested certain changes, particularly in reference to the non-disclosure of unclassified information. In a subsequent meeting between [REDACTED] and the Director, the Secrecy Agreement was further revised by the Director which resulted in its approval by the DCI in the form as attached.

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2. It is the opinion of this Office that perhaps in the discussions with the Director, the specific viewpoint of the Security Office was not fully explored and consequently, this Office desires that the draft of the Secrecy Agreement be reconsidered with the following points emphasized.

3. It is the opinion of the Security Office that the Director of Central Intelligence has the responsibility and authority under the National Security Act of 1947 and NSCID #12 to impose such restrictions on his personnel as he deems necessary to protect intelligence sources and methods from unauthorized disclosure. In this connection it is noted that NSCID #12 states in part ".....any publicity, factual or fictional, concerning intelligence is potentially detrimental to the effectiveness of an intelligence activity and to the national security" and that ".....agencies represented by membership on the Intelligence Advisory Committee shall take steps to prevent the unauthorized disclosure for written or oral publication of any information of intelligence or intelligence activities". As a corollary to NSCID #12, CIA Regulation [REDACTED] requires that all unofficial publications and public utterances be approved by the Security Office.

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4. The Secrecy Agreement was intentionally entitled "Agreement" since it actually represents a contractual obligation on the part of the employee which is a condition precedent to his employment by the Agency. As such, it is believed it can contain any reasonable limitations on the activities of employees that the Director of Central Intelligence deems necessary to carry out his legal responsibilities. The enforcement of its provisions may be by termination of employment and/or possible prosecution in the event of violation of the Espionage Act.

5. In view of the above, it is recommended that the attached version of the Secrecy Agreement (Enclosure 2) be submitted to the Director of Central Intelligence for approval.



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Deputy Director of Security

Encls.

1. Memoranda dtd 25 Oct 54
& 22 Oct 54 from Office
of General Counsel (with attach.)
2. Secrecy Agreement dtd 1 Dec 54

cc: Chief, Regulations Control Staff

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ORIGINAL DOCUMENT MISSING PAGE(S):

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